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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,591	08/05/2003	Behcet Sarikaya	139140 (4048-00400)	6543
24587	7590	05/01/2007		
ALCATEL USA INTELLECTUAL PROPERTY DEPARTMENT 3400 W. PLANO PARKWAY, MS LEGL2 PLANO, TX 75075			EXAMINER LEVITAN, DMITRY	
			ART UNIT	PAPER NUMBER
			2616	
			MAIL DATE	DELIVERY MODE
			05/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/634,591	SARIKAYA ET AL.	
	Examiner	Art Unit	
	Dmitry Levitan	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,12-28 and 30-32 is/are rejected.
- 7) ☒ Claim(s) 3,4 and 6-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. Figure 2A should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126. The presented claims are not numbered consecutively, as two claims are numbered 24 and the claims comprise claims numbered 30-31, as claims number 28 and 29 are missing.

Misnumbered claims 24 (I), 24 (II) and 25-27 have been renumbered 24-28.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 12-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12 recites the limitation "said at least one BSS" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "said first BSS" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 30 limitations are directed to parent claim 29, which is missing. Therefore, claim 30 limitations are indefinite because the claim is incomplete.

Claims 14-28, 31 and 32 are rejected as the claims depending on the claims rejected above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 12, 13 and 17 (as best understood) are rejected under 35 U.S.C. 102(e) as being anticipated by Hanson (US Pub. 2004/0202120).
4. Regarding claim 12, Hanson teaches in a wireless local area network (wireless network, as shown on Fig. 1 and 9, comprising Access Points and associated service areas) which includes an access router, at least one access point served by said AR (domain servers, operating as access routes serving access points, because domain servers route IP packets to access points for delivery to the mobile terminals, as disclosed in the mobile IP operation on [0003]), an internet protocol

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domain served by said AR and at least one basic service area, each one of said at least one BSS served by a corresponding one of said at least one AP, a method for assigning an IP address to a mobile terminal entering a first BSS of said WLAN (mobile terminals, organized into logical groups, associated with domains, to serve BSS areas, shown on Fig. 1 and 9, and assigning IP addresses to mobile terminals [0008]-[0010]), comprising:

upon a mobile terminal entering a first BSA served by an AP, said AP determining whether said MS has roamed into a new IP domain (identifying if the mobile terminal is becoming a member of a new logical group/network 250 or 270 of Fig. 9 and [0052]-[0054]); and

if said AP determines that said mobile terminal has not roamed into a new IP domain, said AP instructing said mobile terminal to use a first IP address, said first IP address used by said mobile terminal prior to entry, of said mobile terminal, into said first BSA (keeping the same IP address for mobile terminal associated with multiple APs, as the APs belong to the same domain/logical network, and assigning new IP address for the mobile terminal, which has moved into the other domain/logical group, as shown on Fig. 9 and [0052]-[0054]).

5. Regarding claim 13, Hanson teaches mobile terminals registering with AP by an association request [0008] and [0033].

6. Regarding claim 17, Hanson inherently teaches mobile terminals to reassociate with the previous AP upon changing the logical group, as the system configuration has to be reconfigured to serve the mobile terminal at new AP [0003].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson in view of IEEE 802.11 standard (Admitted Prior Art in the current Application, as disclosed in portions of [0013]-[0017]).

Hanson substantially teaches all the limitations of the claim (see claim 12 rejection above).

Hanson does not teach using IEEE 802.11 standard, including using Layer 2, request and response messages.

IEEE 802.11 standard teaches using Layer 2, request and response messages (Admitted Prior Art, [0013]-[0017]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add using Layer 2, request and response messages of IEEE 802.11 standard to the system of Hanson to improve the system compatibility with a popular standard.

Allowable Subject Matter

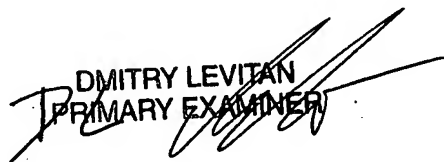
9. Claims 3, 4 and 6-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Levitan whose telephone number is (571) 272-3093. The examiner can normally be reached on 8:30 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


DMITRY LEVITAN
PRIMARY EXAMINER

Dmitry Levitan
Primary Examiner
Art Unit 2616